


FROM THE DESK OF

Andrew V. Owen

FILED

AUG 23 2022 

CLERK, U.S. DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

August 17, 2022

Northern District of California Court
Oakland Courthouse
1301 Clay Street
Oakland, CA 94612

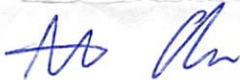
Re: Subpoena to Villanova University Pertaining to Records that Include My
Information; *In re: College Athlete NIL Litigation, Case No. 4:20-cv-03919-CW in the
Northern District of California*

To the Judge in the Above-Referenced Case:

NC
I have received the enclosed notice dated August 16, 2022 from Rebecca E. Younker of
Troutman Pepper Hamilton Sanders LLP (attorney for Villanova University) that
plaintiffs in the above-referenced case have served a subpoena on Villanova University
that seeks various documents and information, including documents and information
pertaining to me as a former student athlete at Villanova.

This letter serves as my written objection (within the 10 calendar day period described
in the letter) to Villanova University providing to the plaintiffs in the above-referenced
case any documents or information relating to me (Andrew V. Owen) sought in the
subpoena.

Sincerely yours,



Andrew V. Owen

Troutman Pepper Hamilton Sanders LLP
3000 Two Logan Square, Eighteenth and Arch Streets
Philadelphia, PA 19103-2799



troutman.com

Rebecca E. Younker
D 215.981.4069
rebecca.younker@troutman.com

August 16, 2022

VIA E-MAIL

FERPA Notice

Re: Subpoena to Villanova University Pertaining to Records that Include Your Information; In re: College Athlete NIL Litigation, Case No. 4:20-cv-03919-CW in the Northern District of California

Dear Former or Current Student-Athlete:

Villanova University has received a subpoena, which is a formal legal demand, for educational and financial records that include information pertaining to you. This subpoena is part of a class action lawsuit asserting claims on behalf of certain past and current student-athletes participating in Division I, National Collegiate Athletic Association ("NCAA") sports from 2016 to the present. The plaintiffs are student-athletes that allege that NCAA bylaws violate federal antitrust laws, which are laws designed to protect against unfair business practices. The defendants in this lawsuit are the NCAA and other athletic conferences. Villanova University is **not** a party in this lawsuit but is legally obligated to respond to this subpoena.

The plaintiffs' attorneys in this lawsuit served this subpoena on Villanova University because Villanova University maintains the records and information the plaintiffs' attorneys seek. Attached, you will find the subpoena the plaintiffs' attorneys served on Villanova University. Please review this subpoena to understand the scope and nature of the educational records this subpoena seeks.

The disclosure of educational records is governed by the Family Educational Rights and Privacy Act of 1974 ("FERPA"), 20 U.S.C. § 1232(g), which is a federal law that protects the privacy of student records. Under FERPA, Villanova University must make a reasonable effort to notify you before releasing such educational and financial records so that you have the opportunity to object to Villanova releasing your information if you wish. The purpose of this letter is to provide you with such notice.

If you do not object to the release of the educational and financial records pertaining to you, then you do not need to do anything. Villanova University will provide plaintiffs' counsel with copies of educational and financial records that include your information. There is a protective order in this litigation that will prevent the information Villanova sends to these attorneys from being shared with anyone who is not part of the lawsuit or used for any other purpose.

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If you (or your attorney) do **not** want Villanova University to release your records, you (or your attorney) must send a written objection, within ten (10) calendar days of the date of this letter, directly to the Northern District of California Court, located at Oakland Courthouse, 1301 Clay Street, Oakland, CA 94612. Additionally, you must provide Villanova University with a copy of the written notice that you (or your attorney) has sent to the Court by emailing it to Rebecca.Younker@troutman.com.

Please feel free to contact Rebecca Younker at the above email if you need additional information. Please note that neither Villanova University nor Troutman Pepper can provide you with legal advice. If you have any legal questions, you will need to ask your own attorney.

Sincerely,

/s/ Rebecca E. Younker
Rebecca E. Younker

Enclosures